A Regular Meeting of the Highland Park Mayor and Council was held via Zoom, on Tuesday, August 18, 2020, and was called to order by Council President George at 7:03 PM. Council President George read the Open Public Meetings Statement.

Present: Councilpersons Canavera, Fine, Foster-Dublin, George, Hale, Kim-Chohan; Borough

Attorney Schmierer; Borough Administrator Jover; Borough Clerk Hullings.

Absent: Mayor Brill Mittler.

On motion made by Councilman Fine, seconded by Councilman Hale, the minutes of the Regular/Work Session Meetings held February 18, 2020, March 3, 2020, April 7, 2020, April 21, 2020, May 5, 2020, May 19, 2020, June 9, 2020 and the Special Meeting of March 24, 2020 were approved, as distributed, by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Kim-Chohan.

Opposed: None. Absent: None.

Abstain: Councilperson Canavera.

Council President George asked the Council members to present their reports.

Councilwoman Foster-Dublin asked residents to wear facemasks and continue social distancing so that everyone can stay safe.

Councilman Hale reported that Main Street Highland Park needs the help of the residents with the businesses and the restaurants. He asked residents to frequent the businesses downtown as they are working incredibly hard to stay afloat.

Councilwoman Kim-Chohan reported that the Board of Health presented at the last deer management work session and gave their perspective. The Borough is looking into a mental health initiative and they held their first organizational meeting on August 13th. The Board of Health has been working with the schools and they have given their recommendations as it relates to the school reopening plans. The Borough has partnered with the Jewish Renaissance Medical Center to bring a mobile COVID-19 testing site to Highland Park on Wednesday, August 26th from 8:00 a.m. to 1:00 p.m. The testing site will be set up in the parking lot at the Highland Park Community Center, 220 South 6th Avenue and can accommodate drive-up and walk-up clients with or without symptoms. Residents interested in taking advantage of this testing opportunity must register by Monday, August 24th by going to jrmc.us/jrmc-covid-19-testing-preregistration. Residents who need assistance registering can contact the Community Center. There will be no out-of-pocket costs to get tested. Clients with insurance will have their bill sent directly to their insurance company and clients who are under insured or uninsured will have their test covered by Medicare and the CARES funding. The Board of Health is still working on their piece on racism from a public health standpoint. August is National Family Fun Month. She encouraged residents to head down to Donaldson Park or Johnson Park for a picnic or stay in and work on your Tik Tok videos, but enjoy the rest of the

Councilman Fine reported that tonight he wanted to discuss some history, remind residents about volunteer opportunities, and make note of upcoming celebrations of art in the Borough. Concerning history, the 19th Amendment, which granted all American women the right to vote, was passed by Congress on June 4, 1919. However, at least 36 states needed to vote in favor of the amendment for it to become law. The 19th Amendment was ratified 100 years ago today, on August 18, 1920. Accordingly, today, we remember and express gratitude to New Jersey's suffragists who moved our democracy forward and fought to guarantee the women's right to vote. Women such as Antoinette Brown Blackwell, who helped found the New Jersey Woman's Suffrage Association in 1867; Lillian Feickert of Plainfield, New Jersey, who served as president of the New Jersey Woman's Suffrage Association from 1912-1920, and helped organize the New Jersey League of Women Voters; and Alice Paul of Mount Laurel, New Jersey, who began her work as a suffragist with the National American Woman's Suffrage Association, and was founder of the Congressional Union and the National Woman's Party, which led picketing of the White House from 1917 to 1919, to fight for passage of the 19th Amendment. In terms of volunteer opportunities, please note that there are vacancies on our boards and commissions that are waiting to be filled. To all Highland Park residents who are interested in volunteering, please check the Borough's website for the list of Boards and Commissions, and fill out a volunteer application, which you may find online, and submit it to the Borough Clerk's Office. Finally, there will be a dedication event celebrating and revealing the new Highland Park mural by Arts Commission Student Member Jessica Wu on the All Colors LLC Building at 176 Woodbridge Avenue on August 19th at 3:30 PM.

Councilwoman Canavera reported that the Library purchased new books for children and adults. Main Street Highland Park is a great place for a cheap date night to get some food or appetizers and utilize the downtown tables.

Council President George reported that there were two severe storms and trees came down. The Department of Public Works is working on removing the downed branches and associated brush. There will be two additional bulk trash pickups tomorrow and next Wednesday. Residents need to call and schedule appointments. The final reading of the tree protection ordinance is schedule for tonight and he thanked the Shade Tree Advisory Committee for their work. There was a lot of storm damage to the Meadows Trails and six volunteers from Sustainable Highland Park and the Environmental Commission assisted with the cleanup. Lastly, he noted street closures for the PSE&G repair project. The project is moving ahead very rapidly but the information about the street closures is not getting to the Borough in a timely fashion. The Borough Administrator has been talking with PSE&G about this matter.

Borough Administrator Jover reported that she would follow up with PSE&G to see if the Borough can get a quicker and more accurate list of which roads are going to be closed in advance. The Borough is going to be starting three of their road projects through the 2019 state aid program. The streets are Cherry Street, South Park Avenue, South 5th Avenue, South 8th Avenue and South Adelaide Avenue from Raritan Avenue all the way to the end. The first phase of the project is sewer work and the last phase is milling and paving. Residents that live on those streets will receive notification from the Borough Engineer's Office to let them know when work will begin. The expectation, based on the schedule, is that all of the construction will be complete by the end of September. The Borough also has another round of roads that have been authorized and approved by the State and they are working on the engineering part of the project now. Not sure if the project will go out to bid this year or not. The roads being considered are South 6th Avenue (Magnolia to Benner), South 9th Avenue (Eden to Graham), North 9th Avenue (Raritan to Abbott), Benner Street (South 7th to South 9th), North 4th Avenue (Montgomery to Madison), and Barnard Street (Woodbridge to Central). Information to be posted on the Borough website. PSE&G will reconstruct all the roads that have been torn up for gas line replacements and her hope is that this will be done before the winter months. As of July 1st the water and sewer contract operations with Middlesex Water Company took effect. Two of their personnel are in town every day; Mike Rodriguez and Keith Huskell.

Borough Attorney Schmierer - No report.

Council President George opened the meeting for public discussion and called upon all those wishing to speak to identify themselves. The total time for this session is 21 minutes; three minutes maximum per speaker. Comments are limited to items on the agenda. If you want to speak on an item that is not listed, there will be an opportunity to do so later in the meeting.

Jeff Vardaro, Wayne Street, noted that on the agenda that the Equity Commission is now going to be renamed and redesignated as an Equity Council that reports to the Mayor. He expressed his disappointment that there are no members being appointed to the Equity Commission tonight and that the Equity Council is not going to be fully staffed. As he understood it, both at the meeting and in conversations with the Mayor, they were on track to staff the Equity Commission by August, which was the commitment that was made. Now, several weeks later, he sees no progress and potentially renaming a commission that has not acted for about a year because it has virtually no members, is disappointing. He does not understand why it is so hard to put together and appoint eight members of this community so that they can meet and recommend actions to the Police Department so we can address one of the most important issues that we are facing here in the Borough. It does not seem to be a priority and he is very disappointed. It seems like an effort to just run out the clock on whatever we can do for police reform in this town.

Peter Spool, 146 Graham Street, commented about draft resolution No. 8-20-232, which is a resolution to establish the Mayor's Equity Advisory Council. The resolution is rather short and rather vague and does not seem very well thought out. He does not know why this is necessary since the Equity Commission already existed and has quite a more detailed charter. It seems like this new Council that is being proposed has a much more limited scope. He asked if this new Council is approved if the meetings will be open to the public in compliance with the Open Public Meetings Act with agendas and meeting notes made public. Borough Attorney Schmierer noted that the new organization is an advisory council to the Mayor and as such has no decision making power and is not subject to the Open Public Meetings Act. The agendas would not necessarily be announced. Mr. Spool commented that it is not transparent and this is another example of the Borough doing things that were transparent, less transparent, rather than going in the other direction. Council President George noted that the main reason that these matters are adjourned to the September 1st meeting is because the Mayor is not present. He believes that even as an advisory council, they would function at the direction of the Mayor, even in open session. Mr. Spool commented that he does not see a reason for this substitution and it looks like a bait and switch to him, one which is less transparent.

Anna Hallin, 235 Montgomery Street, commented on the deer feeding ban and agreed that people should not feed deer. The language in this ordinance which they are about to pass into law has her worried. Some of the facts you present in support of the ordinance are not backed up by data. For example, the ordinance claims that Highland Park is experiencing a significant increase in its deer population. She wondered where the data is that supports that claim because as far as she knows, there has only been one deer survey completed. It has actually been shown that people's estimates of how many deer there are in a certain area are highly correlated with a number of conflicts they experience or are told that people experience and it does not necessarily correlate with the actual number of deer. If they do not have that data she wants to know why they thought it was appropriate to include it as a fact in this ordinance. You are also claiming that deer are endangering motorists. The Division of Fish and Wildlife told the Borough during their presentation that this is a non-issue in Highland Park. She asked why this was included as a fact in the ordinance. She has noticed that motorists are endangering deer and not the other way around. She has seen motorists drive recklessly in Highland Park and they do not look out for animals. If you see a deer crossing the road, you have to slow down because there is a chance that more deer are coming. The Council does not need made up facts in order to pass a ban on feeding deer. A feeding ban is one of the non-lethal ways we can reduce conflicts. She asked why the Mayor is dissolving the Equity Commission and making it less transparent. From her understanding, the Mayor was supposed to fill the positions on the Equity Commission and that has not happened for a long time.

Ravit Duncan, Lawrence Avenue, commented about the change to the Equity Advisory Council and making it more limited in scope and less transparent. It is not clear about whether this advisory council could propose changes directly to the Council or if it has to go through the Mayor, which could result in conflict of interest. Following on what Anna said, she thinks it is a wonderful idea to ban feeding of deer. It is a great start to an alternative non-lethal pathway of dealing with deer conflict and she thinks that Council Foster-Dublin had some great points about what she saw with people feeding the deer. In the area of the

Meadows, folks complained that that is where the deer are eating. She thinks that there is an issue with the current language in the ordinance. The language in the beginning is misleading and misrepresents the facts. The problem is not deer population; you only have one data point, and that is not enough to make claims. There has been a tremendous reduction in deer habitats and that means existing deer are confined to a smaller space, which is going to result in higher density. The main problem is deer conflict and that was the original complain when this process started. The second paragraph is not substantiated by data, other than anecdotal accounts. There is no systematic evidence to link deer and plant damage and Fish and Wildlife even said that the accidents have not increased and that claim is not relevant to Highland Park. The language in the ordinance needs to be amended.

Elena Gerstmann, North 6th Avenue, commented that she is a proud Highland Park resident who put two kids through the school system and she volunteered for the town. Today, she is disappointed and spoke about the Equity Council that the Mayor wants to create. She reminded everyone that at the June meeting, the Council spent time talking about the Commission. They wanted to make changes and many people came to the meeting. The Council listened to the comments and said that they were going to appoint the new members and Councilwoman Kim-Chohan was leading that effort and doing a good job. Today, we see that the Mayor wants to change course yet again, and to her it is just kicking the can down the road. She has so much faith in this Council that they want to do a good job and are motivated to do a good job and she believes that they are all fair people that want to bring racial justice to Highland Park. Her patience is wearing thin as it is right in front of them, but they keep shooting themselves in the foot, because they are not appointing members of the Commission. They shot themselves in the foot last year by not appointing the members when people resigned. You wanted to make a change to it and committed to them in June that they would not make that change, but would appoint people, and now, yet again, the Mayor is changing course and it looks like they are going to allow her to do that and will go down in the books as not being on the right side of history. You are taking something away from Councilwoman Kim-Chohan and you are letting the Mayor create a council instead of a commission that can do its work behind closed doors with fewer people in a town that is asking and begging the Council to take leadership. She asked why residents should trust the Council, when they committed to something in June, and two months later, you have changed and are doing something else.

Dan Battey, 304 Montgomery Street, echoed the concerns of the community with respect to creating an Equity Advisory Council. Given the turn at the June meeting with possibly imagining this as a civilian review board with a number of applications that have come through with populating this committee. To now change course, once again, for not populating it back in October when applications where submitted, is a very wrong course. The Advisory Council would not be under the Sunshine Law and it would be up to the Mayor to make these public rather than the law making these meetings and minutes accessible. It removes the Council out of this process and the recommendations go directly to the Mayor, which means the Council is not necessarily reviewing them. The resolution is very vague and it does not mention police data, and it does not mention responsibility for analyzing that data. It mentions that they would have some say in police training, but that police training should be informed by the data in policing. It is not clear that they have much basis to recommend training for the Police Department. The Equity Commission has a clear mission for it and this seems like a very unclear beginning for this council. It should be rethought and it reflects poorly on transparency in the community.

Tatiana Gelfand, 118 North 5th Avenue, commented that she did not want to repeat comments made by previous speakers about the deer-feeding ordinance. She sent emails to the Mayor and Council with comments about the proposed draft ordinance. There is a strange and irrelevant phrase about "increasing risk of disease transmission". There used to be a popular opinion that deer transmits Lyme disease, however, current research shows that this is not so. This fact was also confirmed by Jay Crosson from the Board of Health (which is opposing the deer hunt). As to "the increase in the deer population is causing significant damage to native plant tile and the ecosystems..."--- there is no need to kill "as many deer as physically possible" annually in HP to preserve native plants. Native plants in the Meadows and Natural Preserve can be easily and cheaply protected from deer just as this is done in many communities and small gardens. She just saw an educational event (see reference below) on this topic from the Native Plant Society of New Jersey. It would not be difficult to find volunteers to come up with a solution and to help set it up in the areas mentioned. Killing deer looks like a very inadequate, archaic and inhumane measure for this concern.

No one else appearing to be heard, the Council President closed the public portion.

The Clerk reported advertising and notification of Main Street Highland Park 2020 Budget for consideration of passage on final reading by title.

On motion made by Councilman Hale, seconded by Councilwoman Kim-Chohan, and carried by unanimous affirmative voice vote, the above entitled resolution was taken up on final reading by title.

Council President George declared the public hearing on the Budget open to all officials and persons present and called upon all those wishing to speak for or against the ordinance to do so.

No one appearing to be heard, the Council President closed the public hearing.

The following resolution, introduced by the Economic Development and Planning Committee, was duly adopted on motion made by Councilman Hale, seconded by Councilwoman Canavera and carried by the following roll call vote, to wit:

Ayes: Councilpersons Canavera, Fine, Foster-Dublin, George, Hale, Kim-Chohan.

Opposed: None. Abstained: None. Absent: None.

No. 8-20-216

WHEREAS, pursuant to Resolution No. 7-20-196 adopted by the Borough Council of the Borough of Highland Park on July 21, 2020, that approved the Main Street Highland Park Budget for the year 2020; and

WHEREAS, said Budget was advertised in the Home News Tribune issue of July 25, 2020 together with a notice of the public hearing on the Budget scheduled for August 18, 2020 at 7:00 PM in Borough Hall, 221 South 5th Avenue, Highland Park, NJ; and

WHEREAS, said Budget and Notice of Hearing had been posted in the Borough Hall where public notices are customarily posted and was made available to each person requesting the same prior to and during the public hearing; and

WHEREAS, notice had been served on all property owners within the Special Improvement District as certified by the Tax Assessor and as shown by the affidavit of the Borough Clerk attached hereto and a public hearing on the Budget was held on August 18, 2020;

WHEREAS, pursuant to N.J.S.A. 40A:4-8, the said Main Street Highland Park Budget was introduced and adopted by title since, at least one week prior to the date of the hearing and at the hearing, a complete copy of the approved budget was made available for public inspection and was further made available to each person who requested a copy of said budget.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the 2020 Main Street Highland Park Budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of

Ir	าต	o	m	ıe
	•	_	• •	_

Government Grants	93,515.00
Special Assessment (BID)	166,474.00
Fees/Sponsorships	16,400.00
Reserves	<u>17,913.00</u>
Total Income	\$ 294,302.00
<u>Expense</u>	
Administration and General	\$ 164,602.00
Program Expense	<u>129,700.00</u>
Total Expense	\$ 294,302.00

Budget Surplus/(Deficit) \$ 0.00

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to Main Street Highland Park, the Tax Assessor, the Tax Collector and the Finance Director forthwith.

The Clerk reported advertising an ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, AMENDING CHAPTER 388 OF THE "CODE OF THE BOROUGH OF HIGHLAND PARK" CONCERNING TREE REMOVAL AND PROTECTION, for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

On motion made by Councilwoman Foster-Dublin, seconded by Councilwoman Canavera, and carried by unanimous affirmative voice vote, the above-entitled ordinance was taken up on final reading by title.

Council President George declared the public hearing on the ordinance open to all officials and persons present and called upon all those wishing to speak for or against the ordinance to do so.

No one appearing to be heard and no objections having been received in writing, the Council President closed the public hearing.

On motion made by Councilman Hale, seconded by Councilwoman Canavera, the ordinance entitled as above, being Ordinance No. 20-2006, was duly adopted by the following roll call vote, to wit:

Ayes: Councilpersons Canavera, Fine, Foster-Dublin, George, Hale, Kim-Chohan.

Opposed: None. Absent: None.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted on motion made by Councilman Hale, seconded by Councilwoman Canavera, and carried by unanimous affirmative voice vote:

No. 8-20-217

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, AMENDING CHAPTER 388 OF THE "CODE OF THE BOROUGH OF HIGHLAND PARK" CONCERNING TREE REMOVAL AND PROTECTION, passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of Neptune, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

The Clerk reported advertising an ordinance entitled, ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, NEW JERSEY, AUTHORIZING ACCEPTANCE OF A NON-EXCLUSIVE EASEMENT OVER BLOCK 183, LOT 24 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF HIGHLAND PARK, PURSUANT TO *N.J.S.A.* 40A:12-1 *ET SEQ.*, for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

On motion made by Councilman Hale, seconded by Councilwoman Foster-Dublin, and carried by unanimous affirmative voice vote, the above-entitled ordinance was taken up on final reading by title.

Council President George declared the public hearing on the ordinance open to all officials and persons present and called upon all those wishing to speak for or against the ordinance to do so.

No one appearing to be heard and no objections having been received in writing, the Council President closed the public hearing.

On motion made by Councilman Hale, seconded by Councilwoman Kim-Chohan, the ordinance entitled as above, being Ordinance No. 20-2007, was duly adopted by the following roll call vote, to wit:

Ayes: Councilpersons Canavera, Fine, Foster-Dublin, George, Hale, Kim-Chohan.

Opposed: None.

Absent: None.

The following resolution, introduced by the Economic Development and Planning Committee, was duly adopted on motion made by Councilman Hale, seconded by Councilwoman Kim-Chohan, and carried by unanimous affirmative voice vote:

No. 8-20-218

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, NEW JERSEY, AUTHORIZING ACCEPTANCE OF A NON-EXCLUSIVE EASEMENT OVER BLOCK 183, LOT 24 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF HIGHLAND PARK, PURSUANT TO *N.J.S.A.* 40A:12-1 *ET SEQ.*, passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of Neptune, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

The Clerk reported advertising an ordinance entitled, AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, "AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF HIGHLAND PARK AND THE METHOD OF PAYMENT OF SUCH COMPENSATION", for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

On motion made by Councilwoman Kim-Chohan, seconded by Councilman Fine, and carried by unanimous affirmative voice vote, the above-entitled ordinance was taken up on final reading by title.

Council President George declared the public hearing on the ordinance open to all officials and persons present and called upon all those wishing to speak for or against the ordinance to do so.

No one appearing to be heard and no objections having been received in writing, the Council President closed the public hearing.

On motion made by Councilwoman Foster-Dublin, seconded by Councilman Fine, the ordinance entitled as above, being Ordinance No. 20-2008, was duly adopted by the following roll call vote, to wit:

Ayes: Councilpersons Canavera, Fine, Foster-Dublin, George, Hale, Kim-Chohan.

Opposed: None. Absent: None.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilwoman Foster-Dublin, seconded by Councilman Fine, and carried by unanimous affirmative voice vote:

No. 8-20-219

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, "AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF HIGHLAND PARK AND THE METHOD OF PAYMENT OF SUCH COMPENSATION", passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of Neptune, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

The Clerk reported that an ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK" BY REMOVING AND REPLACING CHAPTER 39, had been introduced in writing by the Public Safety Committee for consideration of passage on first reading by title.

On motion made by Councilwoman Foster-Dublin, seconded by Councilman Hale, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

Ayes: Councilpersons Canavera, Fine, Foster-Dublin, George, Hale, Kim-Chohan.

Opposed: None.

Absent: None.

The following resolution, introduced by the Public Safety Committee, was duly adopted on motion made by Councilwoman Foster-Dublin, seconded by Councilman Hale, and carried by unanimous affirmative voice vote:

No. 8-20-220

WHEREAS, an Ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK" BY REMOVING AND REPLACING CHAPTER 39, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on Tuesday, September 1, 2020, at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

BE IT FURTHER RESOLVED that said a Notice of Pending Ordinance and Summary of said Ordinance be published once at least one (1) week prior to the time fixed for further consideration of said Ordinance for final passage in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published daily in this municipality, together with a notice of the introduction thereof and of the time and place when and where said Ordinance will be further considered for final passage as aforesaid.

BE IT FURTHER RESOLVED that a copy of said Ordinance shall be posted on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, forthwith and that the Borough Clerk have available in her office for the members of the general public of Highland Park copies of said Ordinance for those members of the general public who may request the same.

The Clerk reported that an ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING CHAPTER 165, DISORDERLY CONDUCT, OF THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010" TO PROHIBIT THE FEEDING OF DEER, had been introduced in writing by the Public Safety Committee for consideration of passage on first reading by title.

On motion made by Councilman George, seconded by Councilwoman Canavera, the ordinance entitled as above was duly adopted on first reading by title, with amendments, by the following roll call vote, to wit:

Ayes: Councilpersons Canavera, Fine, George, Hale, Kim-Chohan.

Opposed: None. Absent: None.

Abstain: Councilperson Foster-Dublin.

The following resolution, introduced by the Public Safety Committee, was duly adopted on motion made by Councilman George, seconded by Councilwoman Canavera, and carried by unanimous affirmative voice vote:

No. 8-20-221

WHEREAS, an Ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING CHAPTER 165, DISORDERLY CONDUCT, OF THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010" TO PROHIBIT THE FEEDING OF DEER, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on Tuesday, September 1, 2020, at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

BE IT FURTHER RESOLVED that said a Notice of Pending Ordinance and Summary of said Ordinance be published once at least one (1) week prior to the time fixed for further consideration of said Ordinance for final passage in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published daily in this municipality, together with a notice of the introduction thereof and of the time and place when and where said Ordinance will be further considered for final passage as aforesaid.

BE IT FURTHER RESOLVED that a copy of said Ordinance shall be posted on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, forthwith and that the Borough Clerk have available in her office for the members of the general public of Highland Park copies of said Ordinance for those members of the general public who may request the same.

On motion made by Councilwoman Kim-Chohan, seconded by Councilwoman Foster-Dublin and carried by affirmative voice vote of all councilpersons present, the ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING CHAPTER 9 OF THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010" BY DELETING SECTIONS 100-102, was tabled from consideration until the September 1st meeting.

The Clerk reported that an ordinance entitled, AN ORDINANCE RECONSTITUTING THE BOROUGH OF HIGHLAND PARK HUMAN RELATIONS COMMISSION AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010", had been introduced in writing by the Health and Human Services Committee for consideration of passage on first reading by title.

On motion made by Councilwoman Kim-Chohan, seconded by Councilman Hale, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

Ayes: Councilpersons Canavera, Fine, Foster-Dublin, George, Hale, Kim-Chohan.

Opposed: None.

Absent: None.

The following resolution, introduced by the Health and Human Services Committee, was duly adopted on motion made by Councilwoman Kim-Chohan, seconded by Councilman Hale, and carried by unanimous affirmative voice vote:

No. 8-20-223

WHEREAS, an Ordinance entitled, AN ORDINANCE RECONSTITUTING THE BOROUGH OF HIGHLAND PARK HUMAN RELATIONS COMMISSION AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010", has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on Tuesday, September 1, 2020, at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

BE IT FURTHER RESOLVED that said a Notice of Pending Ordinance and Summary of said Ordinance be published once at least one (1) week prior to the time fixed for further consideration of said Ordinance for final passage in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published daily in this municipality, together with a notice of the introduction thereof and of the time and place when and where said Ordinance will be further considered for final passage as aforesaid.

BE IT FURTHER RESOLVED that a copy of said Ordinance shall be posted on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, forthwith and that the Borough Clerk have available in her office for the members of the general public of Highland Park copies of said Ordinance for those members of the general public who may request the same.

On motion made by Councilman Fine, seconded by Councilman Hale, and carried by affirmative voice vote of all Councilpersons present, Resolution Nos. 8-20-227 and 8-20-232 were tabled from consideration.

Resolution Nos. 8-20-224 through 8-20-234, except Resolution Nos. 8-20-227 and 8-20-232. were duly adopted on motion made by Councilwoman Foster-Dublin, seconded by Councilman Fine, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Canavera, Fine, Foster-Dublin, George, Hale, Kim-Chohan.

Opposed: None. Absent: None.

The following resolution, introduced by the Finance Committee, was duly adopted as above: No. 8-20-224

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 7, 2020 showing the names of the officers and employees of the Borough of Highland Park whose salaries are on an annual basis, there have been the following changes, to wit:

KAREN JARZABSKI, Senior Librarian, Youth Services, at an annual salary of \$73,190.00, effective April 1, 2020.

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 7, 2020 showing the names of the officers and employees of the Borough of Highland Park whose salaries are on an hourly basis, there have been the following changes, to wit:

GABRIELLA PELOFSKY, Counselor, at an hourly rate of \$14.00, effective July 27, 2020. COLM SULLIVAN, Head Counselor, at an hourly rate of \$19.00, effective July 27, 2020 DUNCAN OZ, JR., Counselor, at an hourly rate of \$12.00, effective July 27, 2020

FINN GIRVAN, Circulation Desk Assistant, at an hourly rate of \$13.00, effective August 1, 2020 TALIA LAPIDUS, Circulation Desk Assistant, at an hourly rate of \$13.00, effective August 1, 2020 ELEANOR JOHNSEN, Circulation Desk Assistant, at an hourly rate of \$13.00, effective August 1,

2020

BE IT FURTHER RESOLVED that the Finance Director be and is hereby directed to make the necessary changes in the payroll records of the Finance Department in accordance with the changes established by this resolution.

The following resolution, introduced by the Finance Committee, was duly adopted as above: $\underline{\text{No. 8-}20-225}$

WHEREAS, the Borough of Highland Park has created the position of Qualified Purchasing Agent with Resolution No. 7-19-233, dated July 2, 2019; and

WHEREAS, Lori Majeski was appointed Qualified Purchasing Agent with Resolution No. 6-20-189, dated June 23, 2020; and

WHEREAS, N.J.S.A. 40A:11-3 © allows the State Treasurer to raise the bid thresholds for contracting units' subject to the Local Public Contracts Law; and

WHEREAS, effective July 1, 2020, the bid threshold for local contracting units that have a qualified purchasing agent has been raised;

NOW, THEREFORE, BE IT RESOLVED by the Highland Park Borough Council that the maximum bid threshold for the Borough will be \$44,000.00 effective July 1, 2020.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted as above:

No. 8-20-226

WHEREAS, the Borough of Highland Park is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough Council is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, County of Middlesex, as follows:

- The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at <u>y</u> and also available from the Borough Clerk's Office in the Borough of Highland Park.
- (2) The sale will be conducted online and the address of the auction site is www.govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is attached to the original of this resolution.
- (5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough of Highland Park reserves the right to accept or reject any bid submitted.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted as above:

No. 8-20-228

WHEREAS, the following have posted Road Opening Performance Bonds in the amounts indicated for various projects as indicated below:

ACCOUNT NO. T-12-56-832-103 NAME
Malmed Construction
2150 Route 35
Holmdel, NJ 07733

AMOUNT \$500.00 PROJECT DESCRIPTION 20 Cedar Avenue

WHEREAS, the Construction Official of the Department of Code Enforcement has determined that Road Opening Performance Bonds can be released;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director shall be and is hereby authorized and directed to remit to the above the amounts indicated, the same being the amount of refund due for return of performance bond for the Road Opening Permits referenced.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Construction Official and the Finance Director forthwith.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above: $\underline{\text{No. 8-20-229}}$

WHEREAS, the Borough of Highland Park Fire Department is need of extrication equipment and The Clara Barton First Aid Squad Inc. is no longer using their extrication equipment, and is providing a donation to the Highland Park FD without compensation; and

WHEREAS, the donation of equipment would be used in the Borough's Fire Department to provide life safety extrication removal in the event of a motor vehicle accident or industrial incident to the residents and visitors traveling and working in the Borough of Highland Park; and

WHEREAS, Clara Barton First Aid Squad Inc., 1079 Amboy Ave. Edison, NJ 08837 is donating the following Holmatro brand Hydraulic extrication equipment to the Highland Park Fire Department:

- 1. (1) Honda Pump Model 100 Serial # 9412812 & 0391895
- 2. (1) Holmatro Cutter Model # 2001 UL Serial # 200100025
- 3. (1) Holmatro Spreader Model 2008 Serial #87-1354 16" Blade
- 4. (1) Holmatro Combination Tool Model 2002U Serial # 88-1944
- 5. (1) Holmatro Telescopic Ram Model 3340 Serial # 334000006
- 6. (1) Holmatro Twin Piston Ram Model 2005U Serial # 20059311279
- 7. (2) 50ft. hose reels
- 8. (1) 16 ft Pony hose
- 9. Accessories, (2) Chain Puling Spreading Tips, (2) Shackles with Chain Hooks, (2) Spreader Tips, (2) Circular Plates, (1) 5 ft. Chain with Hook, (1) 7 ft. Chain with Double Hooks, (2) 10 ft. Chain with Hook.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park, in the County of Middlesex and State of New Jersey, that the Borough Council of the Borough of Highland Park gratefully accepts the donation for the above stated equipment.

The following resolution, introduced by the Arts and Recreation Committee, was duly adopted as above:

No. 8-20-230

WHEREAS, Highland Park's Arts Commission would like to apply for a \$3,750 grant from Middlesex County to fund the second phase of their "Race Matters" project; and

WHEREAS, the Borough will provide required matching funds in the amount of \$1,250; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are hereby authorized and directed to submit and execute, on behalf of the Arts Commission, the grant application to Middlesex County, a copy of which is attached to the original of this resolution.

The following resolution, introduced by the Arts and Recreation Committee, was duly adopted as above:

No. 8-20-231

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, The Borough of Highland Park Council of the Borough of Highland Park, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the <u>Highland Park Borough</u> Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Highland Park Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex.

NOW, THEREFORE, BE IT RESOLVED by the <u>Borough of Highland Park, County of Middlesex</u>, State of New Jersey hereby recognizes the following:

1. The <u>Highland Park Borough</u> Council does hereby authorize acceptance of funding for strategic plan for the <u>Highland Park</u> Municipal Alliance grant for fiscal year <u>2020 5Q (July 1, 2020 – September 30, 2020)</u> in the amount of:

DEDR \$1,077.55 Cash Match \$269.39 In-Kind \$808.16

2. The <u>Highland Park Borough</u> Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

The following resolution, introduced by the Council as a Whole, was duly adopted as above: 20-233

WHEREAS, on March 3, 2020, the Borough of Highland Park engaged McManimon, Scotland & Baumann to serve as Special Environmental Counsel to assist the Borough in its representation in the matter known as <u>JSM at Highland Park, LLC v. the Borough of Highland Park, Docket No. MID-L-4958-17; and</u>

WHEREAS, there is a need to authorize an additional work on this case beyond the initial \$50,000 authorized by Borough Council and that additional amount is not to exceed \$30,000; and

WHEREAS, funds are available for this purpose in Account No. 0-01-20-155-235 as reflected by the Certification of Funds Available by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park in the County of Middlesex that the Council does hereby authorize an increase to the contract with McManimon, Scotland and Baumann, in accordance with the above stated limitations.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to the Borough Administrator and Assistant Finance Officer.

The following resolution, introduced by the Finance Committee, was duly adopted as above: $No.\ 8-20-234$

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that all claims presented prior to this meeting as shown on a detailed list prepared by the Borough Treasurer, and which have been submitted and approved in accordance with Highland Park Ordinance No. 1004, shall be and the same are hereby approved; and

BE IT FURTHER RESOLVED that the Borough Clerk shall include in the minutes of this meeting a statement as to all such claims approved as shown in a Bills List Journal in accordance with said Ordinance.

The bills approved for payment at this meeting, Bills List 8/18/2020 can be found in the Bills List Journal Book No. 40.

The appointments to the Mayor's Equity Advisory Council were tabled from consideration until the September 1, 2020 meeting on motion made by Councilman Fine, seconded by Councilman Hale, and carried by affirmative voice vote of all Councilmembers present.

On behalf of Mayor Brill Mittler Councilman George appointed Metra Lundy to serve as the Alternate #1 Member of the Human Relations Commission for a term to expire April 17, 2023.

On behalf of Mayor Brill Mittler Councilman George appointed the following to serve as Regular Members of the Arts Commission for terms to expire August 1, 2023:

John Marron Amee Pollack

The above appointments were confirmed on motion made by Councilwoman Foster-Dublin, seconded by Councilman Fine, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Kim-Chohan, Canavera.

Opposed: None. Abstained: None.

On behalf of Mayor Brill Mittler Councilman George appointed Khahlidra Hadhazy to serve as the Alternate #2 Member of the Planning Board for a term to expire September 2, 2021.

Council President George opened the meeting for public discussion and called upon all those wishing to speak to identify themselves. Speakers are limited to 3 minutes and the discussion to end at 9:00 PM.

No one appearing to be heard, the Council President closed the public discussion.

Work Session:

Support A4226/A4034 - Eviction Protection - Councilman Hale noted that these two bills have passed the Assembly and there are companion bills within the Senate. It would be more germane for the Borough to support both the Assembly and Senate bills at the next Council meeting. These two bills are designed to help citizens when the COVID-19 emergency is over and the clock starts ticking on evictions. When it is declared, there is 90 days to where you cannot evict under current law. The bills lays out a process after those 90 days for moving forward with evictions and mortgage foreclosures. Prior to the introduction of this bill, in day 91, someone could be evicted. The three-month process is seen by many as a harsh time period. The goal of the bill is not to eliminate evictions, and not to stop foreclosures. The goal of the bill is to make sure there is a process by which evictions and foreclosures start after the 90 days is over of the COVID-19 emergency. Before the next meeting, he will circulate a specific resolution of support for the Senate and the Assembly bill along with texts of those bills to the Council. Highland Park has a great number of renters who would be helped by this bill. Council President George asked that Councilman Hale let them know about the status of the Senate bill. The Senate is on summer break and there is commitment from the Senate leadership and the Governor that it will pass. Councilwoman Foster-Dublin commented that she has heard that property owners are increasing rents by hundreds of dollars. Councilman Hale indicated that the current version of the bill does not address that, it is purely an eviction and foreclosure bill. He will do some research and report to Council. Councilwoman Canavera asked if there were laws protecting how much a landlord can raise your rent. Borough Administrator Jover reported that the Borough's rent leveling ordinance is very outdated and they will be looking at it and discussing it in the near future. There is no rent control right now in Highland Park. There are rules that govern renters who receive subsidies. Councilman Hale noted that one of the participants in the zoom meeting is a housing expert. Matthew Hersh noted that under Executive Order 106, evictions and foreclosures are suspended. Foreclosure filings can still occur and over 15,000 have taken place. Without this and other protections there will be a considerable amount of foreclosures and evictions that could put undue strain on social services, increase homelessness and have adverse effects on lower income communities and rental communities. It is the only piece of legislation the ensures that a landlord does commit to some type of repayment plan. Rent increase vary from town to town and Highland Park does have a rent-leveling ordinance that is being re-examined. In New Jersey, any notice of a rent increase that is not in writing is not legal. Any increases in rent mid-lease should be reported to the Borough and to the State at COVID19.nj.gov. At the end of a lease, the landlord must provide the renter with a written notice about a rent increase and generally, it should not be more than 4%. The Borough has done work with NJ Citizen Action on fair housing issues.

ADA 30th Anniversary – Councilwoman Kim-Chohan noted that she circulated the draft resolution that was discussed at the Health and Human Services Committee that recognizes the anniversary of the ADA. Resolution to be listed on the September 1, 2020 agenda for adoption.

2020 Columbus Day - Councilwoman Kim-Chohan commented that over the last few years there has been a significant increase in explicit white supremacy organizing activities in Highland Park and across the country. As a society, we have started to connect the dots about the ways that white supremacy shows up in the most explicit ways and in concealed ways such as the monuments and statues that we create and the people that we name our landmarks after and the holidays that we celebrate. Recent years have seen a number of states and cities move towards observing some form of indigenous people's day and away from honoring Columbus. Columbus Day is associated with Italian American heritage and this would not diminish the value of the Italian American Community. She is asking the Council to adopt a proclamation that would recognize indigenous people's day. This would be a small step in a new direction and she hopes that next year the Borough can move towards a more permanent and more institutionalized recognition of the history from both Native Americans and Italian Americans. They will not be replacing or removing Columbus Day. Council President George would like to see a draft of the proclamation and would like the Human Relations Commission to look at it. Councilwoman Kim-Chohan noted that the Human Relations Commission would like to replace Columbus Day. Council President George indicated that he would not support anything that takes away from his Italian American heritage. Councilwoman Foster-Dublin commented that the native people of this country have for years been overlooked and never recognized as the native people. The goal was to acknowledge the native people and not take away from the Italian American people but to put something in place to acknowledge the Native Americans and celebrate Italian American heritage day as opposed to Columbus Day.

Mental Health Ad-Hoc Committee - Communications Officer Harry Glazer appeared to give a presentation. In response to a rise in teen suicides in town and growing concerns about the mental health impacts of COVID-19 policies, a Borough committee has been set up to foster greater support for residents struggling with these issues and greater awareness of local resources and to increase educational opportunities on these topics. The group has met twice, and all discussions are preliminary and explorative and they have been drawing on the successful experience of a Westfield program on this same topic. The committee is being led by Ruth Beyer, former member of the HP Board of Education, and the group that has come together has psychologists, the Borough's Social Worker, the HP Public Schools Guidance Counselor, as well as Dr. Norma Bowe, a Board of Health representative. The Mayor has spoken with Councilwoman Kim-Chohan about this and they are looking to establish this as an Ad-Hoc Committee that would formally begin its work as soon as possible. Will look to see if the group needs to be re-established as an ongoing committee at the Reorganization Meeting in January. Councilwoman Canavera commented that although it is under Councilwoman Kim-Chohan, as a Social Worker who works in mental health, she would love to be involved and help in any way she can. Councilman Hale commented that he thought Councilwoman Canavera should be involved based on her experience. He also noted that the first time he heard this mentioned was from Councilwoman Welkovits. There was a consensus of Council that Councilwoman Canavera should oversee this group.

Goals

<u>Councilwoman Foster-Dublin</u> reported that the streets are being done and the lines are being repainted.

<u>Councilman George</u> reported that since he reached his goal of implementing the water management company by July, he is thinking of adding the monitoring of the tree contracts and tree permits.

There being no further business, on motion made by Councilman Hale, seconded by Councilman Fine, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:52 PM.

Respectfully submitted,

Joan Hullings Borough Clerk